

also require Amtrak to use its resources to provide a new level of service that improves on-time performance, upgrades on-board services, and provides easier access to other transportation systems.

The Amtrak bill has also been combined with critical rail safety legislation that would strengthen our railroad security apparatus by investing \$1.6 billion in critical transportation safety initiatives.

Tragically, we learned just over 2 weeks ago how important railroad safety is when a Metrolink commuter train plowed head-on into a Union Pacific freight locomotive just outside of Los Angeles. Twenty-five people lost their lives and over 135 people were injured in the deadliest train crash this nation has seen in 15 years.

Every one of those 25 Americans woke up and got ready for work that Friday morning just like any other day. Mothers and fathers kissed their children goodbye after breakfast, never assuming this would be the last time they would see their loved ones. Weekend plans were made—but were never fulfilled. That fateful Friday morning not only ended the lives of these 25 Americans, but took away 25 mothers and fathers, sons and daughters, brothers and sisters from family members who will never be the same.

When people board a train in the morning on their way to work, they deserve to have peace of mind that they will reach their destination safely. This legislation would take significant steps to give the American people this peace of mind. It ensures that railroad officials have the resources and tools to do their job safely and effectively by implementing training standards for all safety-related railroad employees and requiring train conductors be certified that they are up to speed with the newest systems in place.

The bill also reforms hours-of-service requirements for crews and signal employees so that these critical workers are at their sharpest and most alert while on duty. In addition to these measures designed to reduce human error, we must also address the shortcomings in our rail infrastructure. Crumbling tracks, deteriorating bridges, and failing signals create an environment where it is only a matter of time before the next rail disaster strikes. This legislation fills many of these gaps by authorizing millions of dollars for critical improvements to infrastructure and safety features to make our rail network as safe as possible.

This bill also ensures that safety rules are strictly adhered to by strengthening the Federal Railroad Administration's enforcement tools and increasing the penalties for safety violations.

It is important to remember that our railroad network is not just critical to commerce and transportation but to national security as well. When the terrorist attacks on September 11 cripled

our aviation sector, our Nation relied heavily on trains to make up the shortfall. This illustrates just how important a safe, efficient, well-operated rail transportation network is to all aspects of our nation's well-being—from commercial and economic capacity to national security.

With record high gasoline prices, congested highways and airports that are experiencing record delays, we need all of the alternative forms of transportation we can provide to the frustrated American traveler. I urge my colleagues to recognize that a strong, well-funded and safe rail system is essential to our country. Please join me in voting for this critical bill.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MENENDEZ). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SALAZAR. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### YUCCA MOUNTAIN RADIATION STANDARD

Mr. REID. Mr. President, today President Bush took time away from dealing with the Nation's economic crisis to direct his Environmental Protection Agency, EPA, to release a new standard for 'acceptable' public radiation exposure from the Yucca Mountain nuclear waste dump. In other words, the agency decided just how much radiation you and I can live with. Let me be clear, there is no way this weak standard will breathe life into the Bush-McCain plan to dump nuclear waste in Nevada. Instead, it will breathe life into more litigation against this terrible project.

The EPA has collaborated with the Department of Energy, DOE, to tweak a standard that a Federal court of appeals threw out in 2001 because it failed to comply with the Energy Policy Act of 1992 and would have left Nevadans dangerously unprotected against radioactive contamination. If the repository at Yucca Mountain was ever actually built, the DOE does not deny that water infiltration would eventually corrode nuclear waste packages and radioactivity will inevitably leak into Nevada's ground water. Instead of working to protect Nevadans from a public health catastrophe, this scandal-ridden EPA has chosen to simply make the rules more lenient so DOE can legally dump waste less than 100 miles outside of Las Vegas. This is unacceptable.

Instead of working to protect the health and safety of Nevadans, EPA and DOE are casting science aside in an attempt to get the nuclear waste dump approved. Instead of warring against science, I side with Nevadans and experts who support safe and attainable solutions to our Nation's nuclear

waste. That is why I am working with Senator ENSIGN to keep nuclear waste on-site at the powerplants where it is produced in secure dry cask storage containers that are approved by the Nuclear Regulatory Commission. This plan is safer, more cost effective, and will give us at least a century to find a more permanent solution to nuclear waste.

#### RULE XLIV COMPLIANCE

Mr. BINGAMAN. Mr. President, there are over 150 public land bills on the Senate calendar that have been reported from the Committee on Energy and Natural Resources during the 110th Congress, for which we have not been able to get unanimous consent to take up and pass. In an effort to try to facilitate their consideration by the Senate in the limited time remaining in this session, I have assembled them into a single amendment, SA 5662, to the Monongahela National Forest Wilderness Bill, H.R. 5151. I filed the amendment last Friday, September 26, and it has been printed in the RECORD at S9731-S9840.

Paragraph 4 of rule XLIV of the Standing Rules of the Senate provides that

If during consideration of a bill, . . . a Senator proposes an amendment containing a congressionally directed spending item . . . which was not included in the bill . . . as placed on the calendar or as reported by any committee . . . then as soon as practicable, the Senator shall ensure that a list of such items . . . is printed in the CONGRESSIONAL RECORD.

The term "congressionally directed spending item" is broadly defined to include

a provision . . . included primarily at the request of a Senator . . . authorizing . . . a specific amount of discretionary budget authority . . . for . . . expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

Although no Senator has specifically requested me to include a congressionally directed spending item in SA 5662, in the interest of furthering the transparency and accountability of the legislative process, I have posted a list of the specific authorizations in SA 5662 on the Web site of the Committee on Energy and Natural Resources. The list includes the name of the principal sponsors of the Senate bills that have been incorporated in the amendment.

In the hope that the Senate might yet be able to consider this important amendment before we adjourn, I ask unanimous consent that the list be printed in the RECORD in accordance with rule XVIV.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S.A. 5662—THE OMNIBUS PUBLIC LAND MANAGEMENT ACT OF 2008 TO H.R. 5151 THE WILD MONONGAHELA WILDERNESS ACT

Provisions in Senate Amendment 5662 authorizing appropriations in a specific amount

for expenditure with or to an entity or targeted to a specific State, locality, or congressional district, other than through a statutory or administrative formula-driven or competitive award process:

Section	Program or entity	State	Principal sponsor of Senate bill
2501(b) ..	Rio Puerco Watershed .....	NM ...	Bingaman/Domenici
7101(c) ..	Keweenaw National Historical Park.	MI .....	Levin
7111 .....	Women's Rights National Historical Park.	NY ....	Clinton
7405(g) ..	St. Augustine Commemoration Commission.	FL .....	Martinez/Nelson
8001(h) ..	Sangre de Cristo National Heritage Area.	CO ....	Salazar/Allard
8002(h) ..	Cache La Poudre National Heritage Area.	CO ....	Allard/Salazar
8003(h) ..	South Park National Heritage Area.	CO ....	Salazar
8004(h) ..	Northern Plains National Heritage Area.	ND ....	Dorgan/Conrad
8005(h) ..	Baltimore National Heritage Area.	MD ...	Mikulski/Cardin
8006(i) ...	Freedom's Way National Heritage Area.	MA & NH.	Kerry
8007(h) ..	Mississippi Hills National Heritage Area.	MS ....	Cochran
8008(h) ..	Mississippi Delta National Heritage Area.	MS ....	Cochran
8009(i) ...	Muscle Shoals National Heritage Area.	AL .....	None
8010(h) ..	Kenai Mountains-Turnagain Arm NHA.	AK ....	Murkowski
8201(c) ..	Quinebaug & Shetucket Nat. Heritage Corridor.	CT ....	Dodd
9001(c) ...	Snake, Boise & Payette River Systems Study.	ID .....	Craig
9002(b) ..	Sierra Vista Subwatershed Study.	AZ ....	Kyl/McCain
9003(c) ...	San Diego Intertie Study	CA ....	None
9101(c) ...	Tumalo Irrigation Project	OR ....	Smith/Wyden
9102(d) ...	Madera Water Supply Project.	CA ....	Feinstein
9103(e) ...	Eastern New Mexico Rural Water Project.	NM ...	Bingaman/Domenici
9105(b) ...	Jackson Gulch Rehabilitation Project.	CO ....	Salazar/Allard
9106(g) ...	Rio Grande Pueblos .....	NM ...	Bingaman
9108(j) ...	Santa Margarita River .....	CA ....	None
9109(a) ...	Elsinore Valley Municipal Water District.	CA ....	None
9110(a) ...	North Bay Water Reuse Authority.	CA ....	Feinstein/Boxer
9111(a) ...	Prado Basin Treatment Project.	CA ....	Feinstein
9112(b) ...	Bunker Hill Groundwater Basin.	CA ....	Feinstein
9114(a) ...	Yucaipa Valley Water District.	CA ....	None
9301(3) ...	San Gabriel Basin Restoration Fund.	CA ....	None
10009 ....	San Joaquin Restoration Settlement.	CA ....	Feinstein/Boxer
10203 ....	Friant Division Improvements.	CA ....	Feinstein/Boxer
10501 ....	Reclamation Water Settlement Funds.	NM ...	Bingaman/Domenici
10609(a) ...	Navajo-Gallup Water Supply Project.	NM ...	Bingaman/Domenici
10609(b) ...	San Juan Conjunctive Use Wells.	NM ...	Bingaman/Domenici
10609(c) ...	San Juan River Irrigation Projects.	NM ...	Bingaman/Domenici
10609(d) ...	Other Irrigation Projects	NM ...	Bingaman/Domenici
10702(f) ...	Navajo Nation Water Trust Fund.	NM ...	Bingaman/Domenici
12006 ....	National Tropical Botanical Garden.	HI .....	Akaka

#### THE MATTHEW SHEPARD ACT OF 2007

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor on many occasions to highlight a separate violent, hate-motivated crime that has occurred in our country.

On Saturday, September 6, 2008, in Portland, ME, a 31-year-old resident was walking home at 12:30 a.m. when he was stopped by two men and assaulted. According to the police state-

ment, one of the assailants used homophobic slurs toward the victim, questioning his sexual orientation before attacking him. The police are searching for two suspects in connection with the weekend assault that they have classified as a hate crime. The victim was hit once in the head and recalls little else, the police said. A passerby reportedly found the victim unconscious on the sidewalk and called police. The victim was taken by ambulance to Maine Medical Center where he was admitted for treatment of a head injury.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Matthew Shepard Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

#### INCREASED BRAIN ANEURYSM AWARENESS

Mr. KERRY. Mr. President, I would like to take a moment to discuss an important medical condition that, in my opinion, is in need of increased attention. Brain aneurysm is defined by the National Institute of Neurological Disorders and Stroke, NINDS, as, "the dilation, bulging, or ballooning-out of part of the wall of an artery in the brain." Nationwide, there are 27,000 patients who each year have a ruptured aneurysm. But an estimated 6 million Americans currently live with an unruptured brain aneurysm. In Massachusetts alone, more than 1,000 cases of brain aneurysm are treated annually. With few symptoms, brain aneurysm is a condition that can strike without warning and have a devastating impact on individual lives and families in our country and abroad.

I applaud the efforts of the medical profession, research institutes such as the National Institutes of Health, NIH, and nonprofit organizations and groups such as the Brain Aneurysm Foundation who work tirelessly to combat brain aneurysm. Such work is critical to increasing the medical research and education that will lead to breakthroughs in the diagnosis and treatment of this devastating condition.

During the month of September, conferences and meetings are taking place across the country to raise brain aneurysm awareness. I want to recognize Massachusetts as one of several States which have declared the month of September as "Brain Aneurysm Awareness Month." Such declarations show that States across the country understand the importance of raising awareness of this condition and are taking the time to highlight the need for additional education. I support these efforts and look forward to Congress working in a similar fashion in the near future.

#### WORKFORCE POLICY

Mr. BROWN. Mr. President, I rise to thank Senator MURRAY. As chairman of the HELP Subcommittee on Employment and Workplace Safety, she works hard and effectively to protect workers and to champion skills development and employment services to help adults and dislocated workers and at-risk youth succeed in this highly competitive economy. I am proud to serve on this subcommittee. I thank Senator MURRAY for her leadership in introducing the Promoting Innovations to 21st Century Careers Act that will help young adults transition from high school to postsecondary education, including registered apprenticeship, and to the high skill jobs of the future. I am proud to cosponsor this legislation.

Mrs. MURRAY. I thank the Senator. I appreciate the Senator's work on skills-training issues, and I am proud to cosponsor his legislation entitled, "Strengthening Employment Clusters to Organize Regional Success—SECTORS—Act." Partnerships organized by industry sectors are an effective strategy to connect workers with thriving industries such as health care, emerging and transitioning industries like the energy industry, and manufacturing, which are vital to both the Ohio and Washington State economies. The strategies of both Promoting Innovations to 21st Century Careers Act and SECTORS Act are effective because they bring together the key stakeholders, including business, labor organizations, education at various levels, workforce boards, economic development entities, and other community organizations.

Mr. BROWN. I thank the Senator for highlighting local workforce boards as a key stakeholder in sector partnerships. It has been brought to my attention that we can further clarify that the SECTORS Act specifies the connection to local workforce boards. It is the intent for this legislation to acknowledge our local Ohio workforce boards and other regional and local workforce boards as key stakeholders in any industry sector strategy, something that is important to champions of good workforce policy.

Mrs. MURRAY. I thank the Senator for clarifying that point. The SECTORS Act models itself after many successful industry sector partnerships in our home States of Washington and Ohio, and elsewhere, such as Pennsylvania and Wisconsin. I look forward to continuing to work with the Senator to develop innovative workforce policies and programs that help our workers and communities stay competitive in this knowledge-based, technology-advanced, global economy.

#### HONORING OUR ARMED FORCES

##### CAPTAIN BENEDICT SMITH

Mrs. MCCASKILL. Mr. President, I rise today to honor the life and sacrifice of CPT Benedict Smith, who will